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MEMO ENDORSED

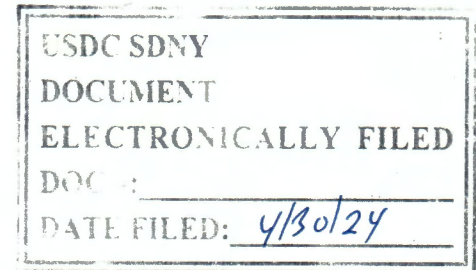
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April 25, 2024

Via ECF

The Honorable Louis Stanton
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312



Re: *Simon J. Burchett Photography, Inc. v. Alibaba Group (U.S.) Inc., et al.*
1:23-cv-09853 (S.D.N.Y.)
Request for Stay/Extension of Time for all Pending Deadlines

Dear Judge Stanton,

Counsel for Defendants in this action hereby moves for a stay and/or extension of all deadlines currently pending in the case to May 31, 2024. The parties have executed a settlement agreement, but Defendants seek this extension out of an abundance of caution, in order to allow time for the parties to complete certain obligations under the agreement.

On March 20, 2024, deadlines in this case were extended to April 30, 2024 for the following (*see* Dkt. No. 55):

- Deadline for AliExpress E-Commerce One Pte. Ltd. to answer or move in response to the Third Amended Complaint (*see* Dkt. No. 48).
- Deadline for Alibaba Group (U.S.) Inc. and Alibaba Cloud US LLC to answer or move in response to the Third Amended Complaint. Alibaba Group (U.S.) Inc. and Alibaba Cloud US LLC also sought a prior extension to respond to the Third Amended Complaint, from March 9, 2024 to March 23, 2024, which request was granted on March 6, 2024 (Dkt. No. 47).

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- Deadline for Plaintiff to respond to Defendants' Motion to Dismiss Unserved Defendant Alibaba Group Holding Limited Under Fed. R. Civ. P. 4(m) (Dkt. No. 51).
- Deadline for Alibaba Group Holding Limited to answer or move in response to the Third Amended Complaint, pending resolution of Defendants' Motion to Dismiss Unserved Defendant Alibaba Group Holding Limited Under Fed. R. Civ. P. 4(m) (Dkt. No. 49; *see* Dkt. No. 51).¹

No other deadlines have been set in this action. On December 7, 2023, the Court granted Defendants' request for an extension of time to respond to the First Amended Complaint, and on January 5, 2024, the Court granted Defendants' request for an extension of time to respond to the Second Amended Complaint. On February 20, 2024, Plaintiff sought an extension of time to respond to Defendants' motion to dismiss the Second Amended Complaint, which request was mooted by the Court's grant of leave for Plaintiff to file the Third Amended Complaint.

Counsel for Defendants has attempted to contact counsel for Plaintiff to request consent for this motion. However, despite reasonable efforts, counsel for Defendants has been unable to reach counsel for Plaintiff.

This letter motion is filed without waiver of any of Defendants' rights, remedies, claims, defenses, or objections.

¹ Counsel for Defendants respectfully notes that the return of summons at Dkt. 49 is dated March 7, 2024, rather than the "2/7/2024" date identified on the docket. Therefore, the original deadline for Defendant Alibaba Group Holding Limited to answer or move in response to the Third Amended Complaint was March 28, 2024, not February 28, 2024.

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Respectfully submitted,



Jennifer Insley-Pruitt

Counsel for Defendants

cc: Counsel for Plaintiff (via ECF)